

**Town of Lexington  
Motion  
Special Town Meeting 2020-2**

**ARTICLE 12**

**AMEND ZONING BYLAW - FINANCIAL SERVICES**

**MOTION:** That the Zoning Bylaw, Chapter 135 of the Code of the Town of Lexington, be amended as follows (~~struck through~~ text is to be removed and underlined text is to be added), and further that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of the Town of Lexington:

A. Amend § 135-3.1.6 so that it reads:

3.1.6 ~~Banks and Credit Unions and Real Estate Sales or Rentals~~ Services in ~~CB District~~ Center Storefronts.

1. Purpose. Lexington Center is a place in which shops, workplaces, schools, historic attractions, housing, open space, and civic facilities intimately co-exist to create an active retail and cultural destination with an identifiable sense of place. It is in the public interest that the Town protect and enhance the vibrancy of the Central Business District by creating a supportive environment for a diverse group of uses throughout the Center, and regulating the use of the limited first floor storefront area and frontage of the Central Business District is necessary to achieve this goal.
2. Special Permit Review Criteria. In addition to the criteria detailed in § 135-9.4.2, as a precondition to allowing the establishment, relocation, or expansion of a ~~banking or credit union~~ banking or real estate service use (Line H.1.05 and Line H.1.04 respectively in the Table of Uses) in a center storefront ~~the Central Business District~~, the SPGA must also find that the applicant has satisfied the specific criteria listed below:
  - a. The granting of the special permit will advance the goals expressed in § 3.1.6.1 above;
  - b. The proposed use in the proposed location is in the public interest;
  - c. The proposed use will not create an undue concentration of these uses in the immediate area;
  - d. The proposed use will maintain hours and days of operation and an active storefront consistent with other retail uses in the Central Business District;
  - e. The proposed length of the storefront will not exceed the average length of other center storefronts ~~in the Central Business District~~;
  - f. The proposed first floor square footage will not exceed the average size of other center storefronts ~~in the Central Business District~~; and
  - g. As part of providing a visually engaging storefront, the interior area of the property adjacent to the storefront must be a space dedicated for patrons and shall not be used for office, cubicle, conference, or storage areas.
3. The SPGA may waive strict compliance with criteria 2e and 2f above, where such action is in the public interest and consistent with the intent and purpose of this bylaw.

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B. In § 135-10.1, add a definition of BANKING SERVICES:

BANKING SERVICES

A bank, credit union, or any branch thereof, including electronic branches such as automatic teller machines and cash dispensers.

C. Amend row H.1.05 of Table 1, Permitted Uses and Development Standards, so that it reads:

		GC	RO	RS	RT	CN	CRS	CS	CB	CLO	CRO	CM	CSX
H.1.05	<del>Bank or credit union</del> <u>Banking services</u> <u>*SP in center storefront</u> <u>(see § 3.1.6).</u>	N	N	N	N	<del>N</del> <u>Y</u>	Y	<del>N</del> <u>SP</u>	<del>SP</del> <u>Y*</u>	Y	Y	Y	<del>N</del> <u>SP</u>

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D. Delete rows H.1.06 and H.1.07 of Table 1, Permitted Uses and Development Standards.

		<b>GC</b>	<b>RO</b>	<b>RS</b>	<b>RT</b>	<b>CN</b>	<b>CRS</b>	<b>CS</b>	<b>CB</b>	<b>CLO</b>	<b>CRO</b>	<b>CM</b>	<b>CSX</b>
<del>H.1.06</del>	<del>Bank or credit union with drive-up window or auto-oriented branch bank</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>SP</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>Y</del>	<del>Y</del>	<del>N</del>
<del>H.1.07</del>	<del>Automatic teller machine</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>SP</del>	<del>Y</del>	<del>Y</del>	<del>N</del>	<del>Y</del>	<del>Y</del>	<del>Y</del>	<del>Y</del>

E. Add a new row H.2.03 to Table 1, Permitted Uses and Development Standards, as follows:

		<b>GC</b>	<b>RO</b>	<b>RS</b>	<b>RT</b>	<b>CN</b>	<b>CRS</b>	<b>CS</b>	<b>CB</b>	<b>CLO</b>	<b>CRO</b>	<b>CM</b>	<b>CSX</b>
H.2.03	<u>Banking services delivered on site to persons in a car</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>SP</u>	<u>SP</u>	<u>N</u>	<u>N</u>	<u>Y</u>	<u>Y</u>	<u>SP</u>

(Revised 10/9/2020)